



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,432	08/31/2000	John M. Davis	ITL.0436US (P9448)	3794
21906 7590 07/11/2007 TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			EXAMINER JEAN, FRANTZ B	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 07/11/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/652,432

Applicant(s)

DAVIS, JOHN M.

Examiner

Frantz B. Jean

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is in response to applicant's response filed on 03/26/07. Claims 1-25 are still pending in this application.

The allowance filed on 4/23/07 has been withdrawn in view of a newfound prior art.

Response to Arguments

Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 rejected under 35 U.S.C. 102(e) as being anticipated by Glades US patent Number 6,177,932.

With respect to claim 1, Galdes teaches a method comprising: receiving a client request for help related to a web page (fig 6 box 620, fig 7 box 720; col. 4 lines 41-53; col. 7 lines 36-40); and automatically receiving a web page locator providing information to remotely access said web page and using said information to automatically remotely access said web page (fig 6 box 630; fig 7 box 720; col. 3 lines 36-48; col. 4 lines 64-68; col. 7 lines 45-48).

Claim 11 is essentially the same as claim 1, and is rejected on the same basis. Galdes teaches the further limitation of an

Art Unit: 2151

article comprising a medium storing instructions that enable a processor-based system ... (Fig. 2).

Claim 21 is essentially the same as claim 1, and is rejected on the same basis. Galdes teaches the further limitation a processor (Fig. 1 element 110; and a storage (240) coupled to said processor (Fig. 2).

With respect to claim 2, Galdes teaches the method of claim 1 including automatically initiating a chat session in response to the client request for help (fig 7).

Claim 12 is essentially the same as claim 2, and is rejected on the same basis.

Claim 22 is essentially the same as claim 2, and is rejected on the same basis.

With respect to claim 3, Galdes teaches the method of claim 2 including automatically initiating the chat session with a help service provider in response to the client request for help (fig 7).

Claim 13 is essentially the same as claim 3, and is rejected on the same basis.

Claim 23 is essentially the same as claim 3, and is rejected on the same basis.

With respect to claim 5, Galdes teaches the method of claim 1 wherein receiving the client request for help includes providing a client agent which obtains a Uniform Resource Locator identifying the web page and forwards the Uniform Resource Locator to a remote processor-based system (fig 6-7; col. 3 lines 36-48; col. 4 lines 64-68; col. 7 lines 45-48).

Claim 15 is essentially the same as claim 5, and is rejected on the same basis.

Claim 24 is essentially the same as claim 5, and is rejected on the same basis.

With respect to claim 6, Galdes teaches the method of claim 5 further including collecting information about a client and

Art Unit: 2151

forwarding said information to the remote system (see fig 6 boxes 630, 685; see fig 7).

Claim 16 is essentially the same as claim 6, and is rejected on the same basis.

With respect to claim 7, Galdes teaches the method of claim 1, and also requesting live help from a web page (fig 6-7), which is equated with wherein receiving the client request for help includes receiving a client selection of a help icon.

Claim 17 is essentially the same as claim 7, and is rejected on the same basis.

With respect to claim 8, Galdes teaches the method of claim 7 including extracting information about a remote processor-based system from said web page (see fig 6 box 640; fig 7).

Claim 18 is essentially the same as claim 8, and is rejected on the same basis.

With respect to claim 9, Galdes teaches the method of claim 1 including initiating a chat session between a remote processor-based system and said client (fig 2 and 6-7)

Claim 19 is essentially the same as claim 9, and is rejected on the same basis.

With respect to claims 10, 20 and 25, overlaying a chat dialog box over a web page can be found in fig 6-7 of Galdes).

As per claim 4, England teaches initiating a web page refresh (see fig 5).

Claim 14 is essentially the same as claim 4, and is rejected on the same basis.

In addition, the claims can also be rejected by Jawahar.

Claims 1-25 rejected under 35 U.S.C. 102(e) as being anticipated by Jawahar et al. hereinafter Jawahar US patent Number 6,256,620.

Art Unit: 2151

With respect to claim 1, Jawahar teaches a method comprising: receiving a client request for help related to a web page (fig 7B box 236, fig box 270; col. 14 lines 47 to col. 15 line 10 and col. 16 lines 60-67); and automatically receiving a web page locator providing information to remotely access said web page and using said information to automatically remotely access said web page (fig 7B box 238; fig 7 box 272, 276, and 284; col. 15 lines 3-16; col. 17 lines 1-16).

Claim 11 is essentially the same as claim 1, and is rejected on the same basis. Jawahar teaches the further limitation of an article comprising a medium storing instructions that enable a processor-based system ... (Fig. 2, customer and agent).

Claim 21 is essentially the same as claim 1, and is rejected on the same basis. Jawahar teaches the further limitation a processor Fig. 2 elements 50 and 52; and a storage (40, 58). coupled to said processor (Fig. 2).

All the other dependent claims associated with claims 1, 11, and 21 are also taught by Jawahar (see Jawahar col. 14 line 47 to col. 17 line 16).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantz B. Jean whose telephone number is 571-272-3937. The examiner can normally be reached on 8:30-6:00 M-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571 272 3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2151

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frantz Jean

A handwritten signature in black ink, appearing to read 'Frantz', with a large, sweeping initial 'F'.

FRANTZ B. JEAN
PRIMARY EXAMINER